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03560.0002654.1

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
YASUO KOTAKI, et al. ) : Examiner: A. Vo  
Application No.: 10/609,420 ) : Group Art Unit: 2861  
Filed: July 1, 2003 ) :  
For: LIQUID CONTAINER, CAP )  
USED WITH THE LIQUID ) :  
CONTAINER, AND ) :  
CAP-EQUIPPED LIQUID ) : November 12, 2004  
CONTAINER )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Sir:

This is in response to the Office Action dated August 12, 2004. Claims 6 to 12 are in the application, of which Claim 6 is still the only independent claim.  
Reconsideration and further examination are respectfully requested.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

November 12, 2004  
(Date of Deposit)

Michael K. O'Neill, Reg. No. 32,622  
(Name of Attorney for Applicant)



November 12, 2004

Date of Signature

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The Office Action entered an obviousness-type double patenting rejection of Claims 6 to 12 over issued Claims 1 to 5 of parent U.S. Patent 6,623,104<sup>1/</sup>. The rejection is respectfully traversed, for the reason that the instant application is a divisional application filed in direct response to the Examiner's election requirement dated September 10, 2002 in the parent patent. Accordingly, entry of an obviousness-type double patenting rejection is improper pursuant to 35 U.S.C. § 121. See M.P.E.P. § 804.01.

It is therefore respectfully requested to withdraw the rejection and allow all claims herein.

An Information Disclosure Statement, with fee, accompanies this Response. Consideration of the art cited therein is respectfully requested.

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<sup>1/</sup>The Office Action indicated that the rejection was "provisional", stating that Claims 1 to 5 of the parent patent "have not in fact been patented". Since the parent patent has actually been issued, it is believed that this statement was made through oversight, and the rejection has been treated as non-provisional.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



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